





about Richard Lee, p. 8

Elijah Barker

Ascover Newton School
Newton
Massachusetts

DOOR OPENED

FOR EQUAL

CHRISTIAN LIBERTY.

AND NO MAN CAN SHUT IT.

This proved by plain FACTS.

by Elias Barker - 1731

Brethren, ye have been called unto LIBERTY;
only use not liberty for an occasion to the Flesh, but by
love serve one another. Gal. v. 13.

Behold, I have set before thee an open Door, and no
man can shut it. Rev. iii. 8.

B O S T O N :

Printed for the A U T H O R, and sold by
PHILIP FREEMAN, at the GLOVE,
in UNION-STREET.

With this P I E C E, may be had—

**A few copies of the Author's HISTORY
of NEW-ENGLAND, and his Discourse against
UNIVERSAL SALVATION.**

DOOR OPENED
FOR
CHRISTIAN LIBERTY.

TH E return of PEACE to the nations, and to this land in particular, with its circumstances and privileges, is a very great event indeed; which calls loudly to all for gratitude and thankfulness, to be manifested by a wise improvement of the favours granted us, and a faithful discharge of duty in our several stations. And as contentions about religious liberty have caused much difficulty among ourselves, whereby our enemies hoped to have got advantage against us, it may be of public benefit to lay open the prospect we now have of their being happily terminated.

The east parish in Attleborough, supposing that our laws about worship were the same as formerly, taxed and made distress upon several persons, for the support of their worship, who did not attend thereon.

One

One of them thought proper to try how our laws now are in that respect; and for that end sued their assessors before a justice of peace in Norton, February 22, 1782; when and where he fully proved, that he had usually attended public worship with the first baptist church in Attleborough, ever since May 1780, and had communicated to its support to their satisfaction. Yet judgment was given against him; from which he appealed to the county court at Taunton. And it being a matter of great importance, to have points of law well defined and settled under our new constitution of government, both parties agreed to have the case tried by the honorable justices of the court; namely, Walter Spooner, Thomas Durfee, Benjamin Williams, and William Baylies, Esquires. The council for the appellant were the honourable William Bradford, and James-Mitchel Varnum, Esquires. For the appellees was the honorable Robert Treat Paine, Esq; attorney general for this Commonwealth.

The latter, when pleading for said parish, owned that religion must at all times be a matter between God and individuals, and declared that he disclaimed all subordination of any one sect to another: but pleaded, that the certificates, formerly required by law, were not tokens of subordination of one sect to another, but of subordination to the government; and accused the baptists of refusing to be subordinate to government. He also pleaded, that the appellant was born in the second parish in Attleborough, was baptized there, and therefore was to all intents a member of that society; so that if he thought he had cause to leave them, the law, reason, and even common civility, required that he should give them notice of it, which he had not done.

The

FOR CHRISTIAN LIBERTY. 5

The chief pleas for the appellant were, that RELIGION was prior to all states and kingdoms in the world, and therefore could not in its nature be subject to human laws; that the certificates heretofore required, were given to parish officers, officers of one particular sect, and not to officers of government; and as our constitution says, "No subordination of any one sect or denomination to another, shall ever be established by law," those laws are repealed thereby. And as the constitution was established by the people, it is stronger than any law the assembly can make, it being the foundation whereon they stand. Also the society to which the appellant joined, is as regular a society as the other that taxed him.

These points were learnedly discussed, on March 16, 1782; after which the justices retired a little by themselves, and then returned, and declared, that "they were unanimously agreed in giving the appellant damages and costs." Which judgment not only settled the controversy in Attleborough, but has been extensively beneficial elsewhere. *end here*

As far as my memory and judgment serve me, this is a fair representation of those transactions; and if any can set them in a more just light, they are welcome to do it. And since some in Attleborough accused the baptists of great inconsistency, in protesting against the third article in our bill of rights, and yet now making use of it against them, I shall take leave to make a few remarks upon this subject.

1. It is well known that on December 2, 1779, three months before the constitution was finished, as agent for our churches, I published that article in the independent chronicle, with exceptions against the power claimed therein; when I declared, that I fully
"concurred"

"concurred" with that part of it which we have now made use of ; and none could tell how it would operate but by experience.

2. If natural birth, and the doings of others, could make a person a member of a religious society, without his own consent, we should have no objection against the way of withdrawing from such a society, that our opponants plead for. But since religion is ever a matter between God and individuals, how can any man become a member of a religious society without his own consent ? And how can a man who believes it to be impossible, practically say, that it is possible, without contracting guilt to his conscience ? This is the exact state of our controversy about religious liberty. We have been very far from perfection in our behaviour therein ; but we have not been accused of disobedience to government, and of disturbing the public peace, because of our ever invading the rights of others ; but only because we will not give up our own. It is because we have chosen sufferings, rather than to sin against God. We believe that attendance upon public worship, and keeping the first day of the week holy to God, are duties to be inculcated and enforced by his laws, instead of the laws of men ; but we have had no controversy with our rulers about that matter. The town of Boston must now look at home, for a want of subordination to government in that respect. *

3. The

* A law about these things was made here last fall, which, after repeated meetings, is not obeyed by this town.

FOR CHRISTIAN LIBERTY. 7

3. The first, and most essential article in the order of Christ's kingdom, is that no man *can see it*, nor have any right to *power* therein, until he is *born again*. John i. 12, 13. iii. 3. And the fathers of the Massachusetts government paid such a regard to this truth, that, during their first charter, none were admitted to full communion in their churches, nor to govern in the choice and support of ministers, without a credible profession of that great change. And their excluding of all others from a vote in civil government, and yet compelling of them to attend and support their worship, gave the most plausible handle that the British court ever had, to rob us of the stipulated privilege of choosing our own governors, while they demanded our property to support governors arbitrarily set over us. And contentions upon this point was the root of the late bloody war, which has cost a multitude of lives, and involved both countries amazingly in debt. Yet many are still attached to the errors of our fathers, while they are resolutely set against their virtues.

After a glorious reformation, the first church in Middleborough, were bereaved of their beloved pastor, in April 1744. The church then consisted of above an hundred male communicants; but after they had voted to hear Mr. Silvanus Conant four sabbaths upon probation, the parish committee went and got another minister to supply the pulpit the same days. And a council of six ministers, approved of their so doing, and advised them to persist in that way. By this means the society was divided; and a pastor chosen by three quarters of the church, and who proved to be one of the best ministers in the county, had no

better

* The No. Middleboro ch. = the ch.

better place than a barn to preach in, till they built a new meeting house for him. The ministers who *caused that division*, * belonged to Scituate, Hingham, Hanover, Pembroke, and Bridgewater. And the setting up of the world to govern the church about soul-guides, was the evident cause of the following prophane, cruel, and scandalous actions.

Mr. Richard Lee, a gifted member of one of our churches, having laboured with success in Scituate, was earnestly requested by a man in Hingham, to come and hold a meeting at his house, which he consented to. The meeting was appointed to be in the evening of May 28, 1782; but as the people were assembling for worship, a large mob came up, armed with clubs and staves, and warned Lee and his friends to depart out of Hingham immediately, or it would be much worse for them. He enquired whether they came with any authority? and finding that they did not, he, with the bible in his hand, began to exhort the people to fear God rather than man. Upon which one of them violently seized him by his arm and collar, and others also laying hold of him, halled him away out of the house, and out of the town. When he attempted to speak, and to recite passages of scripture, they repeatedly smote him on his mouth, with the palms of their hands, and also made loud noises to prevent his being heard. As one who had hold of him blundered down, and another shook

a club over his head, and swore that if he flung another down, he would sink Lee to hell in a moment. He then said, "I look upon this holy bible to be the "very best law that ever I heard of." Upon which it was spitefully struck out of his hand, and stamped under foot, with curses and execrations too horrid to be here repeated! When the mob had got him over the town line, their captain shook a club over Lee's head, and swore, that if he ever came into that town again, he would tie him up, and whip him thirty stripes. Said our suffering brother, "that's not so much as they whipt Paul." *What! d—n you,* said one, *do you compare yourself with Paul!* A Hingham man said, Mr. Lee may go and hold a meeting at my house.—But others declared that if he did, they would burn his house down, and carry him out of town. One of the mob cast soft cow-dung in Lee's face, and then they insulted him because of that defilement, with a great deal more of abuse to men, and blasphemy against God. Two other baptist brethren were then hauled by violence out of Hingham, and they went and held a religious meeting in Scituate the same night.

In the above actions they tore Mr. Lee's cloaths considerably, and also bruised and injured his body so much that he was ill for some days, and then he returned home to Gloucester in the county of Providence. In July I met him at Scituate, where we were credibly informed, that his safety, and even his life, were still threatened by those rioters. We then went to Boston to ask advice; and many there as well as in the country, advised him to present a complaint to the grand jury of Suffolk county, against those rioters, as a necessary means of securing the public

public peace, and the liberties of mankind. This was accordingly done, when the county court sat at Boston in October. Thirteen men were named in the complaint, which was supported by the testimony of eight witnesses; and a warrant was granted against five of the rioters, four of whom were taken, and pleaded not guilty before the court; upon which their trial was appointed to be on January 14, 1783.

Snow, ice, and a very sharp air, caused the travelling to be exceeding difficult; yet Mr. Lee travelled seventy miles from his house to Scituate, and, with other witnesses, twenty-three more from thence to Boston, at the appointed time. But after an expensive attendance of two days, the case was put off till April. And the ill treatment he then met with made him determine not to appear there again, without somebody from a distance to speak for him; and the event justified this determination. For no sooner did a lawyer from Providence appear for him in Boston, on April 23d, than a proposal was made to leave the whole affair to chosen men to settle it. This was agreed too; and the gentlemen appointed met upon it in Bridgwater the 6th instant. But then the defendants could not bear to have their case publicly opened; and Mr. Lee was prevailed with to settle the matter with them, upon their promising to pay a sum far short of what many thought they ought to have done. So that none can justly charge him with prosecuting them out of a revengeful spirit, nor with taking all the advantages of them that the law would have given him. And their names are not omitted in this publication, out of any fear of not being able fully to prove every article; but, because we could expose, and give proper warnings against such actions
for

FOR CHRISTIAN LIBERTY. 11

for the future, without mentioning their names ; and we hope and pray for their repentance and salvation.

The fathers of this town and government mistook the work of civil rulers so much, as to imagine that they were to inflict corporal punishments upon men, as sinners against God, and not only for crimes against the community. * They therefore banished several persons upon pain of death for adultery, before they did any for heresy ; and some were hanged here for adultery near twenty years before they hanged the quakers. But the Apostle has plainly taught the churches, to put away wicked persons out of their communion ; and says upon it, *Them that are without God judgeth.* 1 Cor. v. 13. And in the parable of the tares of the field, our Lord has commanded his servants, to let the children of his kingdom, and the children of the wicked one, grow together in the world, till the end of it. Which divine laws have ever been violated by all those who have confounded the government of the church and state together. On the one hand they have been deficient about, if they have not wholly neglected, gospel discipline in the church ; while they have ever invaded their neighbours rights in the state, under religious pretences. And for twelve or thirteen centuries, all colleges and places for superior learning, were under the government of men, who assumed the power to lay religious bands upon children before they could choose for themselves, and to enforce the same by the sword of the magistrate all their days. But I congratulate my countrymen upon

* In Israel God was their only lawgiver ; and our fathers ran into their error, by attempting to form a christian commonwealth, in imitation of the Theocracy of the Jews. These things I mention, not out of disrespect to them, but for our instruction.

upon the arrival of more agreeable times, and upon the prospect of a much greater reformation before us. For the following reasons convince me, that God has now set before us an open door for equal christian liberty, which no man can shut.

1. Not only America, but all the kingdoms and states of Europe, who have acknowledged the authority of our Congress, have set their seal to this truth, that the highest civil rulers derive their power from the consent of the people, and cannot stand without their support. And common people know, that nothing is more contrary to the rules of honesty, than for some to attempt to convey to others things which they have no right to themselves; and no one has any right to judge for others in religious affairs.

2. All former taxes to support worship, were imposed in each government by a particular sect, who held all others in subordination thereto; which partiality is now expressly excluded from among us.

3. No man can take a seat in our legislature, till he solemnly declares, "I believe the christian religion, and have a firm persuasion of its truth." And as surely as it is true, Christ is the only HEAD of his church, and she is COMPLETE in him, and is required to do all her acts IN HIS NAME; and all worship of a contrary nature, is *will worship*, and is only to *satisfy the flesh*. Col. ii. 10, 19—23. iii. 17. And all ministers who were supported by tax and compulsion among us before the late war, received that power in the name of the king of Great-Britain, and not King Jesus; and they are the only officers in this land, that have retained the power over the people, which they have received in that name. Whatever gifts and graces any of them have received from Jesus Christ,

FOR CHRISTIAN LIBERTY. 13

Christ, let them faithfully improve the same according to his direction; but, as they would appear loyal to him, or friends to their country, let them renounce the holding of any earthly head to the church.

4. If this be not done, none can tell who they will have for their head. For the name protestant is no longer to be a test of our legislators; and to persuade the people to yield thereto, the compilers of the constitution said to them, "your delegates did not conceive themselves to be vested with power to set up one denomination of christians above another; for religion must at all times be a matter between God and individuals." This is a great truth; and it proves, that no man can become a member of a truly religious society without his own consent; and also that no corporation that is not a religious society can have a right to govern in religious matters. Christ said, *who made me a judge, or a divider over you?* And Paul said, *what have I to do to judge them also that are without?* Luke xii. 14. 1 Cor. v. 12. Thus our divine Lord, and the great apostle of the Gentiles, explicitly renounced any judicial power over the world by virtue of their religion. And to imagine that money can give any power in religious matters, is the doctrine of Simon the *forcerer*; and by such *forceries* the whore of Babylon hath *deceived all nations*. Acts viii. 18, 19. Rev. xviii. 23. It was from thence that the Pope, on May 4, 1493, the year after America was first discovered, presumed to give away the lands of the heathen therein. And the same power was claimed by the crown of England, in granting several charters of this country; from whence some of the

the states were lately contending in Congress with others, about the western lands on this continent.

5. All the power that the constitution gives our legislature in this respect, is to make "suitable provision" for christian teachers; and, according to their declaration, divine revelation must determine what is suitable; and that determines that they *shall live of the gospel*. 1 Cor. ix. 14. Those who under the law collected support for religious teachers *by force*, brought compleat destruction upon themselves therefor. 1 Sam. ii. 16, 25. Micah iii. 5—12. Christianity is a voluntary obedience to God's revealed will; and every thing of a contrary nature is antichristianism. And all teachers who do not watch for souls as those who must give an account to God; and all people who do not receive and support his faithful ministers, as they have opportunity and ability, are daily exposed to punishments infinitely worse than men can inflict. Luke x. 3—12. Gal. vi. 6—9. Heb. xiii. 7, 17, 18.

6. Reason and revelation agree, in determining that the end of civil government is the *good* of the governed, by defending them against all such as would *work ill to their neighbours*; and in limiting the power of *rulers* there. And those who invade the religious rights of others, are *selfcondemned*, which of all things is the most opposite to *happiness*, the great end of government. Rom. xiii. 3—10. xiv. 10—23.

7. If men will refuse to be happy themselves, yet their power to enslave others is now greatly weakened. And a faithful improvement of our privileges will weaken it more and more, till there shall

FOR CHRISTIAN LIBERTY. 15

shall be no more use for *swords*, because there
shall be *none to hurt or destroy in all God's holy*
mountain. Isaiah xi. 9. Micah iv. 1—4. And who
would not be in earnest for that glorious day?

ISAAC BACKUS.

BOSTON, MAY 10, 1783.